REMARKS

Claims 1, 5-13, 26, 28, 29 and 33 remain in the application. Claims 2-4, 14-25, 27, 30-32 are cancelled, and claims 1, 5-13, 26, 28, 29 and 33 are currently amended in order to more clearly define the invention. . The Examiner has rejected all of the claims (1-36) under 35 U.S.C. § 102(e) as being anticipated by Papineni et al. (U.S. Patent No. 6246981). This rejection is respectfully traversed, and reconsideration is requested in view of the foregoing amendments, and following remarks.

Claim 1, as currently amended, recites a speech recognition system comprising:

a querying device for posing at least one query to a respondent;

a speech recognition device which receives an audio response from said respondent and transcribes said audio response to produce a corresponding text response;

a storage device for storing said audio response as it is received by said speech recognition device;

an accuracy determination device for comparing said text response to a text set of expected responses and determining whether said text response corresponds to one of said expected responses, wherein if said accuracy determination device determines that said text response does not correspond to one of said expected responses within a predetermined accuracy confidence parameter, said accuracy determination device flags said audio response so as to produce a flagged audio response for further review; and

a human interface device for enabling a human operator to hear the audio response and review the corresponding text response for the flagged audio response to determine the actual text response for the flagged audio response, either by selecting from a predetermined list of text responses or typing the actual text response if no such match exists in the predetermined list of text responses.

It is submitted that the Papineni et al. patent neither anticipates nor makes obvious this invention. Papineini et al. describe a "dialog manager" for controlling what prompts an speech recognition (SR) system plays next (i.e., to control the interaction). Electronic "forms" are used to select a topic or context, and "slots" in these forms to dictate what the system will ask for
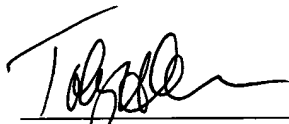
next. A web (or paper based) form analogy to this approach is that one might have a page on trading stocks, and on this page there would be blanks to fill in for the company name, ticker symbol, number of shares, price, etc. Except in the patented system the forms are used to control what the system asks for (i.e., what prompts it plays) and it what order (e.g., it would ask for the company name first and fill in the company slot based on what the user said, then ask for the umber of shares, etc.). Papineni is quite clear that he is always talking about automatic computer SR, there is never any mention of recording the calls simultaneously, using a confidence threshold to flag to route certain calls to be listened to by a human, or having a human filling out the forms for the caller/respondent. Indeed, the forms are never actually seen or used by the caller/respondent – they are just a method to deliver and control the prompts to the caller/respondent.

It should also be understood that the user in the presently disclosed system is a human operator who selects and play recordings of utterances from a caller when those utterances fall outside of a predetermined limit set by a confidence parameter, and then selects response choices from a predefined list, or types in responses if they are not on a predefined list. In the Papineni disclosed system, the user is the caller – the "forms" are a tool used by the system to control what prompts are played and in what order (to "control the dialog") and are never seen nor used by anyone beside the developer.

In summary, therefore, all of the claims, claims 1, 5-13, 26, 28, 29 and 33, as now presented are believed to be patentable over the cited prior art. Applicants encourage the Examiner to call the undersigned if any questions arise, or the Examiner wishes to make suggestions to advance the prosecution of this application. Accordingly, an early and favorable

action thereon, is therefore earnestly solicited. Please apply any charges or credits to deposit account 50-1133.

Respectfully submitted,

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